

Wetlands Bureau Decision Report

Decisions Taken
01/23/2006 to 01/29/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-02139 WOZMAK, RICHARD
ALTON Lake Winnepesaukee

Requested Action:

Applicant requests amendment to allow 8 ft dogleg on the lakeward end of the breakwater to better protect the approved docking facility and extend the approved pier by 6 ft.

Conservation Commission/Staff Comments:

Con Com questions the need to encroach on property line setback

Inspection Date: 02/06/2003 by Dale R Keirstead

APPROVE AMENDMENT:

Amend permit to read: Fill 755 sq ft to construct 42 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 36 ft cantilevered pier and drive 2 tie-off pilings on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, dated March 8, 2005 as received by the Department on March 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the east property line and the imaginary extension of that line into the water and at least 10 ft from the west property line and the imaginary extension of that line into the water as authorized, in writing, by the owner of the lot identified as Alton Tax Map 73, Lot 37, on January 22, 2003.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No portion of breakwater as measured at normal full lake shall extend more than 42 feet from normal full lake shoreline.
9. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
10. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. The approved 36 ft pier shall be considered to provide 2 slips on this frontage. Any future application for a second pier on the frontage to relocate the second slip easterly shall include the reduction of the cantilevered pier to the standard 34 ft length.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.

3. The applicant has an average of 100 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 2 slip as defined per RSA 482-A and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on February 6, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The Wetlands Bureau received a written waiver of the 20 ft setback for the owner of the lot identified as Alton Tax Map 73, Lot 38.

-Send to Governor and Executive Council-

2005-00049 WEST ALTON MARINA
ALTON Lake Winnepesaukee

Requested Action:

Amend permit to increase seasonal canopy width by 2 ft to allow structural support changes.

Conservation Commission/Staff Comments:

Combined with file 2005-47 for one fender piling

APPROVE AMENDMENT:

Amend permit to read: Excavate 5605 sq ft, remove 132 linear ft of bulkhead and walkway, and construct 160 linear ft of retaining wall topped by a 2 ft wide walkway. Relocate three 2 ft x 20 ft finger piers and add three 2 ft x 20 ft finger piers. Install 6 pilings, one in front of each finger pier to support a 20 ft x 92 ft seasonal canopy not to exceed 14 ft in height over the dock surfaces and install one fender piling in front of the existing boat ramp near the gas dock to expand and modify an existing marina providing public access to Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with Piling plans by Spaulding Land Planning Associates dated November 30, 2004, as received by the Department on January 6, 2005, marina slip modification plans by Spaulding Land Planning Associates as revised on March 18, 2005 and received by the Department on March 21, 2005, and Amended Canopy Detail dated July 22, 2005, received by the Department on August 31, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not be effective until the DES Wetlands Bureau receives written confirmation from the Town of Alton that the proposed modifications and expansion will comply with all local land-use controls as required per Rule Wt 402.16, Commercial Use, Municipal Review.
4. Dredged or excavated material and all construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed 5 months during the non-boating season.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(d), construction or modification to a major docking system.

2. The proposed increase in the canopy width is due to changes in the structures support system necessary to stabilize it against winds
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. DES Staff conducted a field inspection of the proposed project on March 7, 2005. Field inspection determined that plans need alteration.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
8. The Wetlands Bureaus finds that the excavation and reconfiguration of the bulkhead, walkway and existing piers would improve safety and navigation within the existing marina.
9. The request for the additional 6 boat slips is within the parameters of Rule Wt 402.17, Marinas - Design Standards, which allows more than the standard one slip per 25 ft of frontage shall be permitted if the facility is enclosed by the land of the applicant.

2005-01043 NELSON BERGMAN GROUP, THE
CONWAY Black Cat Brook

Requested Action:

Fill 6,801 square feet of palustrine forested, scrub shrub wetlands and intermittent streams (impacting 263 linear feet) to construct access roads and driveways serving a 176-lot subdivision on approximately 335 acres in Conway.

Inspection Date: 08/18/2005 by Craig D Rennie

APPROVE PERMIT:

Fill 6,801 square feet of palustrine forested, scrub shrub wetlands and intermittent streams (impacting 263 linear feet) to construct access roads and driveways serving a 176-lot subdivision on approximately 335 acres in Conway.

With Conditions:

1. All work shall be in accordance with plans by Bergman & Associates dated May 13, 2005, as received by the Department on May 18, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. This permit is contingent on approval by the DES Site Specific Program.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Wt 303.02(i), as combined impacts to intermittent streams are greater than 200 linear feet.

2. Original development plans submitted on 1/27/05, proposed 13,526 square feet of wetland impact. Subsequent plan revisions have reduced the overall wetland impacts to 6,801 square feet; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, have been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on 8/18/05. Field inspection determined that none of the wetland communities appeared to be rare, and the proposed road crossings were planned in narrowest areas.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland and intermittent stream ecosystem.

7. The applicant is not required to submit a compensatory mitigation proposal pursuant to Rule Wt 302.03 (c)(1), as there are no known impacts to exemplary natural communities, or threatened and endangered species; and Wt 302.03 (c)(2)a., as the total project meets one or more of the following qualifying criteria for exemption: The project impacts less than 10,000 square feet of wetlands.

2005-02453 LEISURE ACRES MOBILE HOMES INC, C/O THE STABLE CO MILFORD Ox Brook

Requested Action:

Dredge and fill 3,027 square feet of a perennial stream and associated palustrine scrub-shrub wetlands including 420 linear feet in the banks and bed of the channel (of which 2,336 square feet and 180 linear feet in the banks and bed of the channel are temporary impacts for the installation of a 48-inch x 80 foot pipe culvert, cofferdams, and rip-rap for the purposes of stream diversion) to replace two (2) 36-inch x 60 foot and one (1) 24-inch x 60 foot pipe culverts with a 3-foot x 6-foot x 60-foot concrete box culvert and associated headwalls and wingwalls.

Conservation Commission/Staff Comments:

The Conservation Commission recommended approval of the application and recognizes the need for replacement of the culverts.

APPROVE PERMIT:

Dredge and fill 3,027 square feet of a perennial stream and associated palustrine scrub-shrub wetlands including 420 linear feet in the banks and bed of the channel (of which 2,336 square feet and 180 linear feet in the banks and bed of the channel are temporary impacts for the installation of a 48-inch x 80 foot pipe culvert, cofferdams, and rip-rap for the purposes of stream diversion) to replace two (2) 36-inch x 60 foot and one (1) 24-inch x 60 foot pipe culverts with a 3-foot x 6-foot x 60-foot concrete box culvert and associated headwalls and wingwalls.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 21, 2005, as received by the DES Wetlands Bureau on October 13, 2005.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be done during low flow.
4. All rip-rap shall be natural smooth stone and not angular.
5. Work shall be conducted in a manner that avoids discharges of turbidity and sediment to fish spawning areas.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. All structures installed for temporary diversion of the stream shall be entirely removed immediately following construction and any temporarily impacted areas shall be restored to pre-existing conditions.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. The area shall be regraded to original contours following completion of work.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing pipe culverts are corroding causing the roadway surface to collapse and sediment to enter the culverts and stream. The culvert crossing provides the only access to thirty-seven existing mobile homes and provides for the existing septic system force main and municipal water line crossings.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The applicant has proposed the replacement of three failing pipe culverts with a concrete box culvert improving the structural and hydraulic characteristics of the crossing. The proposed box culvert will also improve the ability for migratory species to move up and down stream.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not impair the resources of this wetland ecosystem. The applicant has proposed upgrading an existing stream crossing with significant design improvements.
6. The flow capacity of the concrete box culvert is greater than the flow capacity of the three pipe culverts.
7. The project will impact Ox Brook and associated palustrine scrub-shrub wetlands that drain to Great Brook.
8. The box culvert will be installed to maintain the existing hydrology of the upstream emergent wetlands.
9. The NH Fish and Game Department (NHFG) identified that Banded Sunfish (*Enneacanthus obesus*) occur near the project site.

NHFG requested that that the three corrugated metal pipe culverts be replaced with a box culvert or bridge to provide aquatic species passage and that angular rip-rap be replaced with natural smooth stone to enhance passage for species that will probably not enter the culvert.

10. All structures installed for temporary diversion of the stream shall be entirely removed immediately following construction and any temporarily impacted areas shall be restored to pre-existing conditions.

2005-02754 KIVLEY, DENNIS
ALTON Lake Winnepesaukee

Requested Action:

Fill 580 sq ft to construct 42 linear ft of breakwater, with a 6 ft gap at the shoreline, and a 4 ft x 40 ft cantilevered pier accessed by a 4 ft x 4 ft walkway and 4 ft wide stairway and drive e tie-off pilings on an average of 101 ft of frontage in Alton on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

needs field inspection

APPROVE PERMIT:

Fill 580 sq ft to construct 42 linear ft of breakwater, with a 6 ft gap at the shoreline, and a 4 ft x 40 ft cantilevered pier accessed by a 4 ft x 4 ft walkway and 4 ft wide stairway and drive e tie-off pilings on an average of 101 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated November 3, 2005, as received by the Department on November 15, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. The breakwater shall have an irregular face to dissipate wave energy.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06,

Breakwaters.

3. The applicant has an average of 101 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.12 Frontage Over 75 ft.
5. The proposed docking facility will provide X slips as defined per Rule Wt 101.09 Boat slip, and therefore meets Rule Wt 402.12.
6. Public hearing is waived based on prior field inspection, by NH DES staff, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection found no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

2005-02780 **MOONEY, JAMES**
ALTON **Lake Winnepesaukee**

Requested Action:

Fill 360 sq ft to construct 64 linear ft of breakwater, in an "L" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 26 ft cantilevered pier accessed by a 4 ft x 16 ft cantilevered walkway and a 4 ft x 44 ft wharf along the shore on an average of 259 ft of frontage providing 2 boatslips on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns.

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Fill 360 sq ft to construct 64 linear ft of breakwater, in an "L" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 26 ft cantilevered pier accessed by a 4 ft x 16 ft cantilevered walkway and a 4 ft x 44 ft wharf along the shore on an average of 259 ft of frontage providing 2 boatslips on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated November 11, 2005, as received by the Department on November 21, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 35 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet,

more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483 B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a Breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
3. The applicant has an average of 259 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 4 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.12.
6. Public hearing is waived based on prior field inspections of this area by NH DES staff, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The local Conservation Commission has no concerns about the proposed project.
8. Prior field inspections by the Department of this area has found no evidence of sand migration.

MINOR IMPACT PROJECT

2002-00810 WHITE FAMILY VENTURES LLC
NASHUA Unnamed Wetland

Requested Action:

Approve name change to: White Family Ventures, LLC, 12 Murphy Dr, Nashua NH 03062 per request received 1/23/06.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission "... unanimously approved the project ... with ...stipulations..."

APPROVE NAME CHANGE:

Dredge and fill 15,825 sq. ft. of palustrine forested/ scrub-shrub wetlands for lot development associated with the construction of a housing complex for the elderly with appurtenant parking, drainage and storm water management facilities on a 20.22 acre parcel of land of which 16 acres has been dedicated to the City of Nashua to be preserved as open space.

With Conditions:

1. All work shall be in accordance with plans by Hayner/ Swanson, Inc. dated 21 March 2002, as received by the Department on April 22, 2002.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Work shall be done during low flow.

WETLANDS AND LAND RESOURCES PRESERVATION:

1. This permit is contingent upon the execution of a conservation easement/ preservation area on 16.0 acres as depicted on plans received April 22, 2002.
2. The conservation easement to be placed on the preservation areas shall be written to run with the land, and both existing and

future property owners shall be subject to this easement.

3. Draft conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval. 4. The plan noting the conservation easement/ preservation area with a copy of the final easement language shall be recorded with the Hillsborough County Registry of Deeds Office for each appropriate lot. A copy of the recording from the Hillsborough County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.

5. The applicant shall prepare a report summarizing existing conditions within the conservation/ preservation area. Said report shall contain photographic documentation of the preservation area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

6. The conservation easement/ preservation area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.

7. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation/ preservation area prior to construction.

8. There shall be no removal of the existing vegetative undergrowth within the easement/ preservation area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

9. Activities in contravention of the conservation easement/ preservation area shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of 15,825 sq. ft. of forested wetlands for residential lot development.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The Nashua Conservation Commission recommends approval of the project with stipulations to be adhered to by the developer.

**2002-02498 TIERNEY, EDWARD & BARBARA
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Applicant requests that permit be amended to extend dock to 38 ft in length to provide slips meeting the current definition.

Conservation Commission/Staff Comments:

Con. Com. signed

APPROVE AMENDMENT:

Amend perm to read: Construct a 6 ft x 38 ft piling dock accessed by a 6 ft x 7 ft walkway over rocks on an average of 77.5 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, Inc. revised July 18, 2005, as received by the Department on July 19 2005.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. Pilings shall be spaced a minimum of 12 ft apart as measured center to center.
8. No portion of the structure shall extend more than 38 ft lakeward of the normal high-water line.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 2 slip permanent docking structure.
2. The applicant has an average of 77.5 ft of frontage on Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
4. This structure will provide 2 slips as defined per RSA 482-A:4, and therefore meets the requirements of Rule Wt 402.14.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00535 H T PROPERTIES LLC
CONCORD Unnamed Wetland

Requested Action:

Fill 2900 square feet of man made wetland/detention area for traffic flow improvements and additional parking.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE AMENDMENT:

Fill 2900 square feet of man made wetland/detention area for traffic flow improvements and additional parking.

With Conditions:

1. All work shall be in accordance with plans by Eric C Mitchell and Associates Inc dated March 18, 2004, and revised through November 9, 2005, as received by the Department on November 14, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by netting and pinning on slopes steeper than 3:1.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The wetland to be impacted is a man made detention basin.
4. The applicant has replicated the functions of the detention basin by creating an underground storm water storage system.

5. Treatment of storm water will be achieved by sediment traps and oil hoods in the proposed catch basins.
6. The applicant proposes to correctly size the culvert under Branch Turnpike which will improve the existing scour situation.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
8. The applicant has provided a letter from representatives of the City of Concord stating their overall acceptance of the fill within the Branch Turnpike Right-of-Way.

2004-00976 AUGUST ONE FAMILY TRUST, RUDOLPH & TERRY AUGUST
GOFFSTOWN Unnamed Wetland

Conservation Commission/Staff Comments:

The conservation commission requested a 40 day extension to complete a review of the project on May 20, 2004.

Comments received on July 13, 2004, from the commission dated March 30, 2004. (Items addressed in application process)

Time extension requested by the applicant on April 12, 2005, to establish proposed mitigation.

APPROVE AMENDMENT:

Dredge and fill 5,063 square feet of intermittent stream channel for installation of a 4 x 4 foot x 70 foot box culvert to provide access to 5 lots of a proposed 24-Lot subdivision known as Timberstone and establish 55.84 acres as open space.

With Conditions:

1. All work shall be in accordance with plans by True Engineering:
Sheet 1 dated May 5, 2005, sheets 2 and 4-8 dated February 25, 2004, sheet 3 dated March 18, 2004, sheets 9 and 11-13 and 15-17 dated May 9, 2005 and sheet 10 dated January 10, 2005, as received by the Department on May 13, 2005 and sheet 28 and 35 of 43 dated January 20, 2006, as recieved by the Department on January 24, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low or non flow conditions.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project proposes to impact 5,063 sq ft of jurisdictional wetlands and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-02554 SOUCY, ALAN & CHRISTINE
ALTON Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of January 13, 2005 decision to deny the request to increase the ridgeline height of an existing boathouse from 11 ft to 15 ft in height based on additional information submitted.

Conservation Commission/Staff Comments:

Con. Com. recommends approval.

APPROVE RECONSIDERATION:

Reconsider and approve request amend permit to read: Remove an existing 8 ft by 38 ft 6 in crib dock connected to a 6 ft by 38 ft 6 in crib dock by a 4 ft by 10 ft 4 in walkway in a "U" configuration with a 14 ft 2 in by 25 ft 9 in open-sided boathouse and construct a 6 ft 4 in by 38 ft 6 in crib dock connected to a 6 ft by 38 ft 6 in crib dock by a 4 ft by 10 ft 4 in walkway with a 14 ft 2 in by 25 ft 9 in open-sided boathouse over the center slip, install a permanent boatlift in center slip, install two PWC lifts in the western slip with platforms to secure the PWC to, install a 3 piling ice cluster in the northern slip on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 4, 2004, revision date December 3, 2004 as received by the Department on January 3, 2005 and ridgeline amendment plans as received by the Department on June 16, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. A new written agreement to retain the watercraft lifts within the 20 ft abutter setback shall be submitted for the new owners of the affected property within 6 weeks of the time of sale or said lifts shall be removed from the frontage.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), addition of a ice clusters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed modifications do not add boatslips and provide for less fill in public waters and less constructed surface area over public waters than the existing structure.
5. The applicant has submitted a signed notarized waiver of the 20 ft setback from the affected abutter.

2005-00475 WHITTIER, DOROTHY
WOLFEBORO Unnamed Wetland

Requested Action:

Dredge and fill 2265 square feet for construction of a driveway and a single family residence.

Conservation Commission/Staff Comments:

The conservation commission was concerned because the original application request is for a greater amount of impact than the

previous application. However, the permitted amount is less than the previous permitting request.

APPROVE PERMIT:

Dredge and fill 2265 square feet for construction of a driveway and a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated February 22, 2005, and revised through December 29, 2005, as received by the Department on December 29, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. There shall be no removal of stumps or disposal of yard waste within the wetlands.
4. The deed which accompanies the sales transaction for this lot shall contain conditions 2 and 3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
7. Work shall be conducted during low water conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f). Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The approval is for a single family residence on an existing lot serviced by town water and sewer.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant provided a plan illustrating that a 28 foot x 40 foot home could be placed on the upland area in the rear of the lot.
5. The applicant has provided several alternatives for the development of the lot with a single family residence.
6. The current request to fill 2,265 square feet of wetlands for the proposed driveway and home construction is less impacting than prior proposals to fill approximately 3,600 square feet in wetlands for driveway construction to access rear buildable uplands.
7. The approved alternative utilizes an upland island to avoid and minimize the impacts.
8. The applicant has provided evidence which demonstrates that this proposal is the approvable alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
10. The proposal is the least impacting alternative to the abutter on lot 231-33.
11. The wetlands impacted by the proposed application are poorly drained with limited functions and values.

2005-01537 STONYFIELD FARM INC
LONDONDERRY Unnamed Wetland

Requested Action:

The applicant requests an amendment to the mitigation proposal to forego the wetland creation and instead provide a \$75,000 contribution to the Town Conservation Commission for purchase of the George parcels amounting to approximately 125 acres of land.

Conservation Commission/Staff Comments:

DES received comments from the Conservation Commission on July 19, 2005.

APPROVE AMENDMENT:

Amend permit to read:

Dredge and fill 18,027 sq. ft. (17,182 sq. ft. permanent impact, 845 sq. ft. temporary impact) of forested, scrub-shrub and emergent wetlands for the construction of a 24,970 sq. ft. 1-story milk receiving building addition, a new 2-story 36,800 sq. ft. office and cafeteria building with associated parking, a new sewer line connection, on-site wastewater treatment facility and 2 new detention basin outlet structures. The applicant is providing a donation to the Town of Londonderry Conservation Commission totaling \$75,000 as compensatory mitigation for the project.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by TFMORAN Inc., dated June 30, 2005, as received by the Department on July 7, 2005 and amended plan received by the Department on January 25, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Work shall be done during low flow.
5. This permit is contingent on implementation of the recommendations provided and outlined in the Habitat Assessment Report for New England cottontail and Eastern hognose snake, prepared by TFMORAN Inc., dated August 19, 2005, as received by the Department on August 22, 2005 and the recommendation letter prepared by TFMORAN Inc., dated September 20, 2005, as received by the Department on September 21, 2005.
6. The applicant shall provide a report outlining the status of habitat mitigation efforts. The report shall be prepared by a qualified Wildlife Biologist and submitted to the NH Fish & Game Department (NHF&G) and the Department once the habitat mitigation efforts are complete but no later than one year from the permit issuance date. An additional report evaluating the success of the habitat mitigation shall be submitted to NHF&G and the Department three years from the permit issuance date.
7. The temporary wetland impacts associated with the proposed sewer connection shall be restored in-kind by the end of the first growing season, following the completion of the sewer line connection.
8. The applicant shall submit a report outlining the status of the wetland restoration.
9. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the restoration site.
10. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two full growing seasons, following the start of construction, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the Department.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Silt fence(s) must be removed once the area is stabilized.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the Department.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
20. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

Wetland Mitigation:

23. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the permittee. A copy of the registered permit shall be submitted to the Department prior to construction.
24. This permit is contingent on the deposit of \$75,000 to the Town of Londonderry Conservation Commission as a form of compensatory mitigation for impacts to jurisdiction wetlands.
25. The deposit of \$75,000 shall be in accordance with written correspondence dated January 15, 2006, as received by the Department on January 18, 2006.
4. Prior to the start of construction the DES Wetlands Bureau shall be provided with a copy of the deposit slip documenting the transfer of funds to the Town of Londonderry Conservation Commission.

With Findings:

1. The amended mitigation proposal to provide funds to purchase approximately 125 acres of land exceeds the mitigation ratios and has greater long term environmental benefit than the creation of wetlands on the property.
2. The parcel to be protected through the contribution from the applicant contains valuable wetlands, open water areas, and shrub habitats in association with upland areas.

2005-01542 CERVENGA, ROBERT
JAFFREY Thorndike Pond

Requested Action:

Restore 50 linear ft of shoreline, construct a 600 sqft perched beach, and construct two 6 ft by 30 ft seasonal docks connected by a 6 ft by 10 ft seasonal walkway on 466 ft of frontage on Thorndike Pond, Jaffrey.

Conservation Commission/Staff Comments:

No Con Com comments by 10/3/05

APPROVE PERMIT:

Restore 50 linear ft of shoreline, construct a 600 sqft perched beach, and construct two 6 ft by 30 ft seasonal docks connected by a 6 ft by 10 ft seasonal walkway on 466 ft of frontage on Thorndike Pond, Jaffrey.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on January 6, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done during drawdown.
5. This shall be the only structure on this water frontage and all portions of the docking structures shall be at least 20 ft from

abutting property lines or the imaginary extension of those lines into the water.

6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. The shoreline shall be restored to pre-existing conditions and the shoreline replication area shall have at least 75% successful establishment of shoreline vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
15. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a dock providing for more than 3 slips.
2. The applicant has an average of 466 feet of frontage along Thorndike Pond.
3. A maximum of 7 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.

**2005-02604 KOPF, GENE & BARBARA
MEREDITH Lake Winnepesaukee**

Requested Action:

Remove existing 6 ft x 60 ft seasonal pier and install a permanent 6 ft x 53 ft piling pier with 2 fender pilings and two 3-piling ice clusters, accessed by a 6 ft x 21 ft walkway, construct a 14 ft x 30 ft seasonal canopy over the most westerly boat slip and install 2 PWC lifts on 180 ft of frontage in Meredith on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 6 ft x 60 ft seasonal pier and install a permanent 6 ft x 53 ft piling pier with 2 fender pilings and two 3-piling ice clusters, accessed by a 6 ft x 21 ft walkway, construct a 14 ft x 30 ft seasonal canopy over the most westerly boat slip and install 2 PWC lifts on 180 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 14, 2005, as received by the Department on October 27, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for four months during the non-boating season.
4. Seasonal PWC lifts shall be removed from the lake for four months during the non-boating season.
5. Permanent piling pier shall not exceed 53 ft in length as measured from normal high water elevation (504.32).
6. Pilings supporting the pier shall be installed at a minimum spacing of 12 ft center to center.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d)(3), construction of a docking system that exceeds the design and construction criteria under Wt 402.01.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02731 OHNEMUS, WALTER
CENTER HARBOR Squam Lake

Requested Action:

Fill a 330 sq ft dug-in boatslip with 45.2 cu yd of clean fill, restore 20 linear ft of shoreline, remove an existing nonconforming seasonal pier, and install a 6 ft x 40 ft seasonal pier on 200 ft of frontage in Center Harbor on Squam Lake.

APPROVE PERMIT:

Fill a 330 sq ft dug-in boatslip with 45.2 cu yd of clean fill, restore 20 linear ft of shoreline, remove an existing nonconforming seasonal pier, and install a 6 ft x 40 ft seasonal pier on 200 ft of frontage in Center Harbor on Squam Lake.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC dated October 2005, as received by the Department on November 10, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Seasonal pier shall be removed from the lake for four months during the non-boating season.
4. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be done during drawdown.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02772

NH DEPT OF TRANSPORTATION

HANOVER Unnamed Wetland Mink Brook

Requested Action:

Replace 44 ft. wide bridge with the same width and same span or longer and relocate utility poles impacting 2,501 sq. ft. of stream, banks and emergent wetland (976 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. intervened and report states concern is plans provide no information on the temporary construction and request the opportunity to comment on the plans when available.

APPROVE PERMIT:

Replace 44 ft. wide bridge with the same width and same span or longer and relocate utility poles impacting 2,501 sq. ft. of stream, banks and emergent wetland (976 sq. ft. temporary). NHDOT project #13935.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 03-JAN-06, as received by the Department on January 9, 2006.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the Hanover Conservation Commission for review and comment and to the DES Wetlands Bureau for review and approval. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The impacts associated with the temporary work shall be restored immediately following construction.

19. Matting, fabric and other preventative measures shall be incorporated into the Erosion Control Plan to assure any excess material will be removed and the temporary impact areas are restored wherever utilities are relocated.
20. Any work beyond the ROW shall be approved by the owners prior to construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The NHB determined there are species of concern in the area although the habitat in N.H. is not the wetland type to be impacted as identified by the NHDOT.

2005-02775 AVERILL, JOHN & SUSAN
MEREDITH Lake Winnepesaukee

Requested Action:

Excavate behind full lake to construct two 7 ft by 2 ft concrete pads and replace an existing 6 ft by 50 ft seasonal dock with two 6 ft by 50 ft seasonal docks connected by 6 ft by 12 ft seasonal walkway on an average of 154 ft of frontage on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Excavate behind full lake to construct two 7 ft by 2 ft concrete pads and replace an existing 6 ft by 50 ft seasonal dock with two 6 ft by 50 ft seasonal docks connected by 6 ft by 12 ft seasonal walkway on an average of 154 ft of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Terry Graham dated November 5, 2005, as received by the Department on November 18, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The existing dock installed as permitted with DES permit number 2003-00164, shall be completely removed prior to the construction of the new docking facility.
6. This permit replaces the dock as approved under DES permit number 2003-00164.
7. Dredged/excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The concrete pads shall be located completely behind the shoreline and full lake elevation of 504.32.
9. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
10. Seasonal piers shall be removed from the lake for the non-boating season.
11. No portion of the piers shall extend more than 50 feet from the shoreline at full lake elevation.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3 slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The proposed docking facility replaces the dock approved under DES permit 2003-00164.
5. The applicant has an average of 154 feet of frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.

2005-02799 POIRE, ROGER
GILFORD Lake Winnepesaukee

Requested Action:

Replace an existing 6 ft by 40 ft seasonal dock with a 6 ft by 40 ft piling supported dock, install 3 pilings in the west slip to support a permanent boatlift and 14 ft by 30 ft seasonal canopy, install a three pile ice cluster at the lakeward end of the dock, and re-install a previously permitted seasonal boatlift in the east slip, on 109 ft of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has no concerns

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Replace an existing 6 ft by 40 ft seasonal dock with a 6 ft by 40 ft piling supported dock, install 3 pilings in the west slip to support a permanent boatlift and 14 ft by 30 ft seasonal canopy, install a three pile ice cluster at the lakeward end of the dock, and re-install a previously permitted seasonal boatlift in the east slip, on 109 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 8, 2005, as received by the Department on November 23, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 40 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. The seasonal boat lift shall be of seasonal construction type and shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a dock that exceeds Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

MINIMUM IMPACT PROJECT

2005-01823 GREEN MEADOWS MOBILE HOMES CONCORD Beaver Brook

Requested Action:

Replace culvert, headwalls and dredge 136 linear feet of stream, impacts 1463 square feet.

APPROVE PERMIT:

Repair and replacement of a failed approximately 36 inch x 50 foot metal culvert, associated headwalls and removal of accumulated sediment adjacent to the culvert inlet and outlet. Work includes replacement of the existing culvert with two approximately 30 inch x 50 foot corrugated plastic culverts, installation of new headwalls and removal of sediment impacting approximately 1,088 square feet of riverine and forested wetlands. Sediment removal was previously conducted under and Emergency Authorization, File #2005-2698, issued by the Department on November 14, 2005.

With Conditions:

1. All work shall be in accordance with plans and project description by Beaver Brook Environmental Consultants, LLC, as received by the Department on December 30, 2005.
2. This permit supercedes the previous permit, File #2004-2290, issued by the Department on January 27, 2005.
3. No native soils shall be removed from the stream channel.
4. Work shall be done during low or no flow.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. If work is proposed in within flowing water a stream diversion/erosion control plan shall be submitted for approval by the Department prior to the commencement of work. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair and replacement.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This permit supercedes the previous permit, File #2004-2290, issued by the Department on January 27, 2005.

6. The proposed repair and replacement is not a substantial change in location or configuration and will be located in the same "footprint" of the existing structure.
7. Sediment/sand removal was conducted through an Emergency Authorization, File # 2005-2698, issued by the Department on November 14, 2005.
8. The Concord Fire Department expressed concern to the applicant that the flooding on the property is a threat to the adjacent electrical boxes, propane tanks and utility lines.

2005-01860 EXETER PARKS & RECREATION, TOWN OF EXETER
EXETER Squamscott River

Requested Action:

Repair existing wooden retaining wall at Swasey Park on the Squamscott River to include: cover holes in the deteriorated wall with 2'x8' and 2x10' lumber screwed into the remaining solid portions of the existing wall and fill undermined holes in the park above for public safety.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission did not comment on the project.

APPROVE AFTER THE FACT:

Repair existing wooden retaining wall at Swasey Park on the Squamscott River to include: cover holes in the deteriorated wall with 2'x8' and 2x10' lumber screwed into the remaining solid portions of the existing wall and fill undermined holes in the park above for public safety.

With Conditions:

1. All work shall be in accordance with plans by Mike Favreau as received by the Department on October 27, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. This After-The-Fact approval is for the Emergency Authorization dated August 24, 2005.

2005-02272 TAYLOR, SCOTT
RYE Atlantic Ocean

Requested Action:

Impact a total of 2,740 square feet of the 100-foot tidal buffer zone to include 1,434 square feet of temporary impact and 1,306 square feet of permanent impact for the reconstruction of the existing dwelling, replacement of the existing wooden retaining wall with a dry laid boulder retaining wall, and enhancement plantings of native dune vegetation on a single family residential lot of 0.278 acres.

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not sign the Minimum Impact Expedited Application.

Inspection Date: 07/18/2005 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 2,740 square feet of the 100-foot tidal buffer zone to include 1,434 square feet of temporary impact and 1,306

square feet of permanent impact for the reconstruction of the existing dwelling, replacement of the existing wooden retaining wall with a dry laid boulder retaining wall, and enhancement plantings of native dune vegetation on a single family residential lot of 0.278 acres.

With Conditions:

1. All work shall be in accordance with the following plans by NH Soil Consultants, Inc.:
 - a.) DES Wetlands Bureau Application Plan (Sheet 1 of 1) dated July 2005 with revisions through July 21, 2005, as received by the Department on December 8, 2005;
 - b.) Revised Plant Table for Buffer Plantings at 1090 Ocean Boulevard, Rye, NH, as received by the Department on January 26, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Replacement of the existing retaining wall shall maintain existing size, location and configuration.
7. Only native dune vegetation shall be planted in the designated areas.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as these impacts are necessary to reconstruct the existing dwelling.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the existing dwellings footprint will be used; planting of native dune vegetation; and the replacement of the wooden retaining wall with boulders to protect and enhance the frontage.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A field inspection was conducted by DES personal on July 18, 2005.
6. NH Natural Heritage Bureau (NHNHB) has identified five state listed threatened species within the vicinity of the project: Beach Grass (*Ammophila breviligulata*); Large Bur-reed (*Sparganium eurycarpum*); Salt-loving Spike-rush (*Eleocharis halophila*); Slender Blue Flag (*Iris prismatica*); and Small Spike-rush (*Eleocharis parvula*); Tall Wormwood (*Artemisia campestris*). NHNHB has identified one vertebrate species of special concern, Virginia Rail (*Rallus limicola*). In addition, the NHNHB identified one natural community, High salt marsh.
7. DES review of this application and field inspection finds that the NHNHB identified species will not be impacted as a result of this project as this site is developed and does not support the aforementioned species.
8. Relative to Wt 304.04, the applicant is required to obtain written concurrence for the impacts within 20-feet from the abutting property owners identified as Azzi (Hampton Tax Map 19.4 Lot 76) and Carmen (Hampton Tax Map Lot 75).
9. Pursuant to Wt 304.04, the applicant received written concurrence from the Azzi residence.
10. The abutter identified as Carmen is in objection to the project and will not sign a letter of concurrence per Wt 304.04. The following concerns were identified: a.) The request for a waiver is incomplete due to the plan lacking the distance from the proposed structure to the property line of the Carmen's; b.) Issues are raised concerning the uses within the dwelling and to the location of certain living spaces; c.) No permit was issued from the state or town for the porch; d.) The size of the proposed gazebo and the proximity of it to the primary structure setback; e.) Concerns of the proposed dwellings height; f.) Location of the existing and proposed shower and the grading associated with the relocation of the shower; g.) Decreases in the enjoyment of the Carmen property and the proposed dwelling will impair the view shed; h.) This will result in a adverse effect to the environment by having the development closer to the ocean; i.) Concern with the mature heights listed for the Beach Heather, 3' to 8', the American Beach Grass, up to 3 ½', and Seaside Goldenrod 3' to 4'. The Carmen's strongly object to these plantings because of the maximum height. It would affect their use, enjoyment, and value of their property by blocking their views and is not consistent with the oceanfront in this area; j.) Changes in grading and door location on the north side of the proposed Taylor residence is not sufficient to and

unnecessarily impacts the tidal buffer zone (TBZ); k.) The location and configuration of the deck on the east side of the Taylor residence is an illegal structure. Moreover, the Town of Rye is currently seeking enforcement action for said deck as the deck was built without any approval from the Town of Rye; l.) The proposed location of the dwelling is encroaching closer to the highest observable tide line (HOTL), the height of the proposed dwelling, and does not minimize the impacts within the TBZ and the Rye Conservation Commission supports this comment; m.) The new roof and/or its overhangs will come within 20-feet of the Carmen property and is a violation of Wt 304.04; n.) The Carmen's claim the plans submitted to DES are inconsistent with the plans submitted to the Town of Rye Zoning board of Adjustment (ZBA).

11. DES makes the following findings regarding the aforementioned comments from the Carmen's: a.) The plan, as submitted and required by DES, is of 1-inch = 20-foot scale, therefore the plan meets the waiver requirement; b.) DES does not have jurisdiction of the living spaces within the dwelling; c.) DES does not require permits for decks Wt 304.05(i); d.) The agent clarified that the gazebo will be used as a three-season area and will not be used for living space in accordance with Env-Ws 1406.03; e.) DES does not have jurisdiction on the height of dwellings outside the 50-foot primary building setback in accordance with RSA 483-B:9(b); f.) The shower is not within DES jurisdiction and grading from the Carmen side of the Taylor dwelling and there will be no new impacts on the side adjacent to the Carmen property; g.) The proposed dwelling is entirely outside the 50-foot primary building setback, therefore DES does not have jurisdiction over the height of the dwelling and its effect of the Carmen's view shed in accordance with RSA 483-B:9(b); h.) As proposed, this application is consistent with other applications approved by DES. This lot is already developed and there will not be any adverse environmental affects to the Carmen property. The Taylor's propose native sand dune vegetation planting to enhance the property and are replacing a deteriorating wooden retaining wall with boulders to protect from erosion. i.) The applicant's agent, NH Soil Consultants, Inc. (NHSC), submitted a revised planting list as follows: American beach grass will only be planted in the southwestern portion of the enhancement area, therefore, not impacting the Carmen's view shed; removed beach heather, seaside goldenrod, and American beach grass from the restoration area as labeled on the approved plan. The new plants proposed for the enhancement area are as follows: beach pea (*Lathyrus japonicus*) and dusty miller (*Artemisia stelleriana*), both species are low growing and will not affect the Carmen's view shed. Additionally, the aforementioned species commonly exist along the New Hampshire seacoast; j.) The Department finds that the impacts associated with the proposed door on the north side of the Taylor residence will not have any adverse affect to the tidal buffer zone and the Carmen's as this area is previously developed tidal buffer zone; k.) The Department reaffirms finding 11(c) in regard to said porch. The Town of Rye has jurisdiction on the legality of the porch; l.) DES finds the proposed dwellings footprint does not encroach seaward any further. Although a portion of the proposed dwelling is converted into living space from the existing porch, the design does not encroach seaward and the impervious area remains unchanged. All of these impacts are landward of the 50-foot primary building setback pursuant to RSA 483-B therefore, DES reaffirms findings 11(b), 11(d), and 11(e); m.) DES reaffirms finding 11(e); n.) The plan as submitted to DES is specifically for permitting review and not for the ZBA review process. Although the plan represents the same project, the plan for DES review identifies those impacts within the TBZ, whereas the ZBA plan depicts those impacts for the entire lot.

12. Pursuant to Wt 304.04, the owner did not obtain written concurrence from the Carmen's and submitted a request to waive Wt 304.04.

13. Issues brought forth by the abutter, identified as Carmen; Rye Tax Map 19.4 Lot 75, in opposition to this project, have been duly considered in the review of this application and are found to provide no substantive evidence that this project would be deleterious to the current use of the abutting property. The Department hereby waives Wt 304.04 with the findings outlined in #11.

14. A letter dated September 26, 2005 from the Rye Conservation Commission (RCC) recommends relocating the proposed dwelling as far landward from the HOTL as possible to minimize impacts within the TBZ.

15. The DES reaffirms finding 11(l) in response to the RCC comments.

2005-02536 TRANSCANADA HYDRO NORTHEAST INC
PITTSBURG First Connecticut Lake

Requested Action:

Construct a 4 ft by 24 ft seasonal dock accessed by a 4 ft by 24 ft seasonal dock in a "T" configuration attached to three 2 ft by 4 ft concrete pads located above elevation 1640 providing one boatslip on 109 ft of frontage on First Connecticut Lake, Pittsburg.

APPROVE PERMIT:

Construct a 4 ft by 24 ft seasonal dock accessed by a 4 ft by 24 ft seasonal dock in a "T" configuration attached to three 2 ft by 4 ft concrete pads located above elevation 1640 providing one boatslip on 109 ft of frontage on First Connecticut Lake, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on January 12, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 28 feet from the shoreline at full lake elevation of 1640.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a seasonal dock providing no more than 2 slips.

2005-02704 GORDON, MICHAEL
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove existing 4 ft x 40 ft seasonal pier and install a 4 ft x 60 ft seasonal pier on 325 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 4 ft x 40 ft seasonal pier and install a 4 ft x 60 ft seasonal pier on 325 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants LLC dated January 18, 2006, as received by the Department on January 18, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. No portion of the pier shall extend more than 59 feet from the shoreline at full lake elevation.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for four months during the non-boating season.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), modification of a seasonal pier or wharf if no more than two slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01 and 402.13.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00021 ROBERTI, ANGELO & BRENDA
MILTON Town House Pond / Milton Pond

Requested Action:

Dig into bank immediately adjacent to the shoreline to create a flattened 10 ft x 25 ft storage area on 85 ft of frontage in Milton on Town House Pond.

DENY PERMIT:

Dig into bank immediately adjacent to the shoreline to create a flattened 10 ft x 25 ft storage area on 85 ft of frontage in Milton on Town House Pond.

With Findings:

Standards for Approval:

1. In accordance with RSA 483-B:6, I, (b), Prior Approval; Permits, any person intending to "[c]onstruct a water dependent structure, alter the bank, or construct or replenish a beach shall obtain approval and all necessary permits pursuant to RSA 482-A."
2. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in and adjacent to any waters of the state without a permit from the department."
3. In accordance with RSA 483-B:6, II, Prior Approval; Permits, "[i]n applying for these approvals and permits, such persons shall demonstrate to the satisfaction of the department that the proposal meets or exceeds the development standards of this chapter."
4. In accordance with RSA 483-B:3, Consistency Required, "[a]ll state agencies shall perform their responsibilities in a manner consistent with the intent of this chapter. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter."
5. In accordance with Administrative Rule Env-Ws 1405.04 "No accessory structures shall be built on land having greater than 25 percent slope."

Findings of Fact:

6. On January 3, 2006 the Department received an application to excavate into the bank of Townhouse Pond for a 10 ft x 25 ft flattened storage and recreation area on property identified as Milton Tax Map 33, lot 69.
7. This project involves excavating to a point approximately 10 ft landward of the normal high water line. The frontage gains 6 ft in elevation over the 10 ft distance to be impacted
8. The average slope through the project area is 60%.

Ruling in Support of the Decision:

9. A permit is required for the construction of this structure per RSA 482-A. In accordance with RSA 483-B:3 the permit shall be issued only if the project complies with the intent and policies of RSA 483-B.
10. The requested excavation of a 60% slope for the construction of a storage and recreation area would not comply with Rule Env-Ws 1405 and the intent of RSA 483-B.
11. The issuance of a permit for this project as proposed would not be consistent with the goals of the minimum standards listed in RSA 483-B:2, and therefore is prohibited per RSA 483-B:3.

FORESTRY NOTIFICATION

2006-00003 DOYON, MICHELINE
LITTLETON Unnamed Wetland

COMPLETE NOTIFICATION:

Littleton Tax Map6, Lot# 7-3

2006-00052 **ANGEL HAWK LLC**
NEWBURY **Unnamed Stream**

COMPLETE NOTIFICATION:
Newbury Tax Map 40, Lot# 318-385

2006-00053 **ANGEL HAWK LLC**
NEWBURY **Unnamed Stream**

COMPLETE NOTIFICATION:
Newbury Tax Map 41, Lot# 084-309

2006-00054 **ANGEL HAWK LLC**
NEWBURY **Unnamed Stream**

COMPLETE NOTIFICATION:
Newbury Tax Map 47, Lot# 624-266

2006-00086 **LINDAHL, JUDITH**
ORANGE **Unnamed Wetland**

COMPLETE NOTIFICATION:
Orange Tax Map 10, Lot# 10

2006-00100 **PERKINS, ROBERT & CHERYL**
PITTSFIELD **Unnamed Stream**

COMPLETE NOTIFICATION:
Pittsfield Tax Map R16, Lot# 8D

2006-00101 **SULLIVAN, EDWARD**
TAMWORTH **Unnamed Stream**

COMPLETE NOTIFICATION:
Tamworth Tax Map 204, Lot# 1.1

2006-00102 **BANE, CHRIS/VINCE**
NORTHWOOD **Unnamed Stream**

COMPLETE NOTIFICATION:
Northwood Tax Map 222, Lot# 36

2006-00124 **SPRAGUE BROOK INC**
RICHMOND **Tilsey Brook**

COMPLETE NOTIFICATION:
Richmond Tax map 411, Lot# 43

2006-00125 HIGH-FOREST PARTNERS LLC
KEENE Unnamed Stream

COMPLETE NOTIFICATION:
Keene Tax Map 9904, Lot# 23

2006-00126 CHAGNON, JOYCE
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 1, Lot# 8-2

2006-00127 AHERN, OMER & SUSAN
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 11, Lot# 3-12

2006-00128 BROWN, LARRY
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Lancaster Tax Map R20, Lot# 17

2006-00129 EFFINGHAM REALTY TRUST, RALPH LEONARD
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 404, Lot# 2

2006-00130 RIESS, PAUL
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 6-4, Lot# 26

2006-00131 CROWN RIDGE CONDOMINIUM ASSOCN
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax map 203, Lot# 53

2006-00132 DESHARNAIS, RAYMOND & SUSAN
FREEDOM Unnamed Stream

COMPLETE NOTIFICATION:
Freedom Tax Map 9, Lot# 26

2006-00133 COLLINS, MARGERY
LITTLETON Unnamed Stream

COMPLETE NOTIFICATION:
Littleton Tax Map 57, Lot# 11

2006-00137 WALLACE, ANNA MARY
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map R2, Lot# 6 & 31

EXPEDITED MINIMUM

2005-02607 COPPS HILL ROAD LLC
WINDHAM Unnamed Wetland

Requested Action:

Impact 2,898 square feet of palustrine forested wetland for the installation of a roadway and associated cul-de-sac to access a residential 12-lot subdivision on 24.989 acres with 15.411 acres designated as open space.

Conservation Commission/Staff Comments:

The Windham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 2,898 square feet of palustrine forested wetland for the installation of a roadway and associated cul-de-sac to access a residential 12-lot subdivision on 24.989 acres with 15.411 acres designated as open space.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated December 2005 and revised November 21, 2005, as received by the Department on December 20, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Rockingham Registry of Deeds Office by the Permittee. A

copy of the registered permit shall be submitted to the DES Wetlands Bureau.

8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

10. Work shall be done during seasonal low flow conditions.

11. 1. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.

2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the impacts are for access to the buildable uplands on the lot.

3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the proposed impacts are to a partially disturbed isolated wetland consisting of poorly drained soils. The western portion of the lot consist of potential vernal pools and is within the area designated as open space.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with Wt 304.04(a), the applicant received written concurrence from the abutter identified as David & Christine Bohman (Windham Tax Map 2 Lot 20-B-25) for those impacts with 20-feet of the property line.

6. The applicant is the owner of Tax Map 2 Lot 21-B-39 and does not need to submit concurrence relative to Wt 304.04.

2005-02750 CUMMINGS, ROBERT & MARIA LANCASTER Unnamed Wetland

Requested Action:

Dredge and fill 2,418 square feet of scrub-shrub and forested wetlands for campsite construction and impact 580 square feet of drainage for access road upgrade.

APPROVE PERMIT:

Dredge and fill 540 square feet of drainage to install a 12-inch x 47-foot culvert and a 15-inch x 15-foot culvert for a road upgrade to access additional campsites.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated March, 10, 2005 and revised through December 22, 2005, as received by the Department on January 10, 2005.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Work shall be done in dry conditions.

4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The proposed culverted drainage (12-inch x 47-foot) north of the proposed access was permitted to protect the safety of persons utilizing the campsites and to protect water quality from lawn maintenance activities, including the application of fertilizers, herbicides, and pesticides.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02833 CASSIDY, FRANK
DOVER Piscataqua River

Requested Action:

Impact a total of 217 sq. ft. of developed upland tidal buffer zone for the construction of an addition to an existing residential dwelling and the construction of a terrace.

Conservation Commission/Staff Comments:

Con. Com. endorsed application.

APPROVE PERMIT:

Impact a total of 217 sq. ft. of developed upland tidal buffer zone for the construction of an addition to an existing residential dwelling and the construction of a terrace.

With Conditions:

1. All work shall be in accordance with plans by Noldesign dated January 26, 2006, as received by the Department on January 26, 2006.
2. There shall be no further alteration to areas within DES Wetlands Bureau jurisdiction without amendment of the wetlands permit.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.

TRAILS NOTIFICATION

2006-00118 JOHNSON, MARILYN
BETHLEHEM Unnamed Stream

COMPLETE NOTIFICATION:
Bethlehem Tax map 410, Lot# 18

LAKES-SEASONAL DOCK NOTIF

2006-00090 HENMOR DEVELOPMENT LLC, BRIAN MORIARTY
MEREDITH Lake Wicwas

COMPLETE NOTIFICATION:
Meredith Tax Map R10, Lot# 22-1 Lake Wicwas

2006-00104 POLANSKI, THOMAS
BARRINGTON Unnamed Wetland Swains Lake

COMPLETE NOTIFICATION:
Seasonal Dock - Barrington NH Map # 120 Lot # 69 Swains Lake

2006-00134 STILLWAGON, LEON & MARIANNE
HILLSBOROUGH Unnamed Wetland Loon Pond

COMPLETE NOTIFICATION:
Seasonal Dock- Hillsborough Center Map #005
Lot #139 Loon Pond

ROADWAY MAINTENANCE NOTIF

2006-00123 NH DEPT OF TRANSPORTATION
BELMONT Drainage Ditch

PERMIT BY NOTIFICATION

2006-00087 CAREY, ROLPH
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair/Replace 10 ft 7 in x 33 ft crib supported pier "in kind" on 160 ft of frontage in Wolfeboro on Lake Winnepesaukee.

PBN IS COMPLETE:

Repair/Replace 10 ft 7 in x 33 ft crib supported pier "in kind" on 160 ft of frontage in Wolfeboro on Lake Winnepesaukee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.

2006-00091 MAZUR, GREG
LACONIA Lake Winnepesaukee

Requested Action:

Remove existing 4 ft x 20 ft seasonal pier and install a 4 ft x 24 ft seasonal pier with a 5 ft x 2 ft anchoring concrete pad and install two seasonal PWC lifts on 101 ft of frontage in Laconia on Lake Winnisquam.

PBN IS COMPLETE:

Remove existing 4 ft x 20 ft seasonal pier and install a 4 ft x 24 ft seasonal pier with a 5 ft x 2 ft anchoring concrete pad and install two seasonal PWC lifts on 101 ft of frontage in Laconia on Lake Winnisquam.